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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q65162

TetsuyaTOSHINE, et al.

Appln. No.: 09/885,944

Group Art Unit: 1756

Confirmation No.: 6218

Examiner: ANGEBRANNDT, Martin J.

Filed: June 22, 2001

For: HOLOGRAM TRANSFER FOIL


SUBMISSION OF EXECUTED DECLARATION UNDER 37 C.F.R. §1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a copy of an executed Declaration Under 37 C.F.R. §1.132 signed by Hiroyuki Ohtaki. An unexecuted version of this Declaration was filed with the Amendment filed on November 8, 2004.

Respectfully submitted,


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WASHINGTON OFFICE

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CUSTOMER NUMBER

Date: December 3, 2004



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DECLARATION UNDER 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Hiroyuki OHTAKI, hereby declare and state:

THAT I am a citizen of Japan;

THAT I graduated from the Engineering Department of Tokyo University of Agriculture and Technology in March 1994 and from the Engineering Department of the post-graduate school of Tokyo University of Agriculture and Technology in March 1996;

THAT I have been employed by Dai Nippon Printing Co., Ltd., since 1996, working in the Central Research Center from April 1996 to March 2001 and in the Technical Development Center from April 2001, to present;

THAT I am familiar with the above-identified application and the following experiments were conducted by me or under my control and supervision:

The following results from a comparative experiment, are provided to establish that the claimed invention provides unexpectedly superior results over the prior art

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Instead of a thermoplastic resin layer in the third laminated film of Example 1 in the present specification, a solvent was used, which was obtained by dissolving 50 weight parts of "ethylene-vinyl acetate copolymer [(manufactured by Toyo Morton Co., Ltd.; AD 1790-15) described in the lamination film "b" of Example 7 in the present specification] to 50 weight parts of toluene. This was used as the third lamination film for comparison purposes and a hologram transfer foil was prepared by the same procedure as in Example 1 in the present specification.

In the hologram transfer foil thus prepared, diffraction efficiency was 85.2% and the peak wavelength was 513 nm. After the same procedure as in Example 1, this was left to stand at room temperature for 7 days, and optical characteristics were re-evaluated. Diffraction efficiency was 83.1% and peak wavelength was 491 nm. Peak wavelength showed substantial shifting.

Thus, the thermoplastic resin layer of the present invention as recited in claim 1 is not a mere barrier layer. Thus, one of ordinary skill in the art would not have been motivated to modify Mori et al with a reasonable expectation of success in achieving the claimed invention. Further, the claimed invention provides unexpectedly superior results over the prior art. Therefore the claimed invention is not rendered obvious by the cited prior art.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements

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and the like so made are punishable by fine or imprisonment, or both, under Section
1001 of Title 18 of the United States Code, and that such willful false statements may
jeopardize the validity of the application or any patent issuing thereon.

Date: 25/11/2004

Hiroynuki Ohtaki
Hiroynuki Ohtaki